

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
THE EXPORT-IMPORT BANK OF
THE REPUBLIC OF CHINA, :

Judgment Creditor, :

-against- :

REPUBLIQUE DU NIGER, :

Judgment Debtor. :

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97 CIV 3090 (LAK)

**DECLARATION OF PAUL E. SUMMIT IN SUPPORT OF THE EXPORT-IMPORT
BANK OF THE REPUBLIC OF CHINA'S MOTION BROUGHT BY AN ORDER TO
SHOW CAUSE FOR PERMISSION TO SERVE A RESTRAINING NOTICE AND FOR
A TEMPORARY RESTRAINING ORDER**

I, Paul E. Summit, declare as follows:

1. I am a partner at the law firm of Sullivan & Worcester LLP, counsel to Petitioner/
Judgment Creditor The Export-Import Bank of the Republic of China ("Ex-Im Bank").

2. I submit this Declaration in support of Ex-Im Bank's Motion Brought by an Order
to Show Cause for Permission to Serve a Restraining Notice and for a Temporary Restraining
Order (the "Motion"), which seeks (1) permission to serve a restraining notice on Exelon
Generation Company, LLC ("Exelon Generation"); and (2) a temporary restraining order
("TRO") (i) immediately restraining Exelon Generation, Judgment Debtor République du Niger
("Niger"), the Société de Patrimoine des Mines du Niger ("SOPAMIN"), and any other person or
entity with notice of the order, from making or permitting the transfer of any payment due or
coming due from Exelon Generation to SOPAMIN or Niger, and (ii) directing Niger to appear to
show cause why a restraining notice should not issue.

3. Attached as Exhibit A is a true and correct copy of the transcript of the February 11, 2015 hearing before the Court.

4. Attached as Exhibit B is a true and correct copy of an Areva press release, dated February 2, 2015.

5. Attached as Exhibit C is a true and correct copy of Exelon's response to Ex-Im's Information Subpoena, dated August 8, 2014.

6. Attached as Exhibit D are true and correct copies of excerpts from the transcript of the deposition of James Nevling, dated November 11, 2014.

Dated: New York, New York
February 13, 2015

/s/ Paul E. Summit
Paul E. Summit